

REMARKS

In view of the amendments proposed above, Applicants respectfully request consideration of the following remarks.

Objection to Disclosure

The Examiner objected to the disclosure due to informalities, noting that the application does not include a “Summary of the Invention” heading. Office Action, at pg. 4. According to 37 C.F.R. § 1.73:

A brief summary of the invention indicating its nature and substance, which may include a statement of the object of the invention, *should* precede the detailed description. Such summary should, *when set forth*, be commensurate with the invention as claimed and any object recited should be that of the invention as claimed. (emphasis added)

Applicants respectfully point out that 37 C.F.R. § 1.73 does not require the presence of a “Summary of the Invention.” Rather, this rule merely indicates where in the application the “Summary of the Invention” should be placed if one is included in the application. Note that § 1.73 only states that a brief summary “should” be included, but does not state that such a summary “must” or “shall” be included. Accordingly, Applicants have elected not to include a “Summary of the Invention” as this is within the discretion and right of the Applicants.

Claim Objections

Claims 7, 11, 23, 26, and 30 were objected to due to informalities. Each of these claims has been amended to correct the informalities.

Anticipation Rejections Under 35 U.S.C. § 102

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

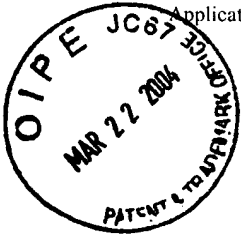
Anticipation Rejection Based on Linux

Claims 1-30 were rejected under 35 U.S.C. § 102(b) as being anticipated by Linux, as described in Rubini et al., *Linux Device Drivers*, 2nd Ed., June 2001 (hereinafter “Rubini”). Applicants respectfully traverse this rejection as set forth below.

The independent claims have been amended to clarify that the claimed invention is directed to a driver having two or more deferred procedure calls that are associated with the same source of interrupts. For example, an interrupt source may comprise a peripheral device of a computer system (or other hardware) or a software routine that can cause an interrupt event (e.g., software interrupts). The references relied upon by the Examiner are directed to drivers (and deferred procedure calls) for different devices (e.g., “linux/drivers/net/sis900.c” and “linux/drivers/char/pc_keyb.c”).

Also, it is respectfully noted that, to the extent the Examiner relies upon Rubini in setting forth a rejection, Rubini is not prior art as to the instant application. Rubini is dated June 2001, which is after the filing date of this application. In addition, a rejection under 35 U.S.C. § 102 may not be appropriate, as the Examiner appears to be relying upon multiple references (see M.P.E.P. §§ 2131 and 2131.01, stating that “normally, only one reference should be used in making a rejection under 35. U.S.C. 102.”).

In summary, the cited references fail to disclose at least the above-noted limitations of the independent claims – i.e., claims 1, 8, 12, 15, 20, and 27 – and each of the independent claims is novel in view of the cited references. Also, claims 2-7, 9-11, 13-14, 16-19, 21-26, and 28-30 are allowable as dependent from novel independent claims 1, 8, 12, 15, 20, and 27, respectively (as are new claims 31-35).



CONCLUSION

Applicants submit that claims 1-35 are in condition for allowance and respectfully requests allowance of such claims.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666.

Respectfully submitted,

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Kerry D. Tweet
Registration No. 45,959

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(503) 684-6200

KDT/tms